

REMARKS

Applicant has the following amendments and remarks in response to the Office Action. By this paper, Claims 64, 65, and 71 have been amended. The specification has also been amended to remove the claim of priority to U.S. Patent Application No. 08/238,750, filed May 5, 1994, now issued as U.S. Pat. No. 5,835,255, and U.S. Patent Application No. 08/554,630, filed Nov. 6, 1995, now abandoned, while retaining the incorporation by reference of these two applications.

Discussion of Objections to the Claims

In the Office Action, the Examiner objected to Claim 64 because it was dependent upon a withdrawn claim. Applicant has corrected this issue by the above-amendments.

Discussion of Claim Rejections Under 35 U.S.C. § 103(a)

In the Office Action, the Examiner rejected Claims 55-58, 62, 64-67, 70, and 71 as being unpatentable over U.S. Patent No. 5,079,544, to Demond, et al. in view of U.S. Patent No. 5,526,327, to Cordova, Jr. Applicant respectfully traverses these rejections. To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *See* M.P.E.P § 2143.03. Applicant respectfully submits that each of the cited references fails to teach or suggest at least one limitation from the above-listed claims.

In particular, Applicant respectfully submits that the cited prior art fails to teach or suggest the use of interference modulators. Independent Claim 65, as amended, recites among other limitations, "enabling the display area to impart different selectable appearances to a surface that is exposed for viewing by a user when the product is in use, the surface including an electronically controllable active display area that includes an array of interference modulators of light on the surface, the display area providing an image at the surface." Independent Claims 66 recites: "an array of interference modulators." Independent Claim 71 recites: "controlling the array of interference modulators." Applicant respectfully submits that the cited prior art fails to teach or suggest at least these limitations.

Demond merely describes the usage of spatial light modulators (SLM) 15. Applicant respectfully submits that Demond fails to teach or suggest the usage of light *interference* modulators as is claimed. Furthermore, Applicant respectfully submits that this is not taught or suggest Cordova. In the Office Action, Cordova was relied upon as teaching a system for incorporating a display system into a truck product.

Furthermore, Applicant respectfully submits that the cited art fails to teach or suggest "selecting one of the appearances to reflect a state of use of the product" as is recited in independent Claim 66 or "detecting the occurrence of a change in condition" of a product as is recited in independent Claim 71. In the Office Action, the Examiner took the position that these limitations are described on column 7, lines 1-50 of Demond. However, Applicant respectfully submits that the cited section is merely directed to the mechanism by which the display device operates and is *not* directed to teaching or suggesting that the appearance of the display reflects "a state of use of the product."

Moreover, Applicant respectfully submits that each of the forgoing claims recite that the interference modulators on the surface of the product. For example, independent Claim 65, as amended recites: "the surface [of the product] including an electronically controllable active display area that includes an array of interference modulators." Applicant notes that the SLM of DeMond are located in the interior of the display device and not on its surface. *See e.g.*, Figure 1a. Thus, Applicant respectfully submits that the cited are fails to teach or suggest at least this limitation.

Since the cited art fails to teach or suggest at least one limitation from each of the above-listed claims, Applicant respectfully submits that the claims are in condition for immediate allowance.

Appl. No. : **09/991,378**
Filed : **November 21, 2001**

Summary

Applicant has endeavored to address all of the Examiner's concerns as expressed in the outstanding Office Action. In light of the above amendments and remarks, reconsideration and withdrawal of the outstanding rejections is respectfully requested. If the Examiner has any questions which may be answered by telephone, he is invited to call the undersigned directly.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 3/29/2007

By: 

Eric M. Nelson
Registration No. 43,829
Attorney of Record
Customer No. 20,995
(619) 235-8550

3293066
011007